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United States Department of Agriculture
Research, Education, and Economics

ARS * CSREES * ERS * NASS *Manual*

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This manual provides specific details on the policies, responsibilities, and procedures for the Safety, health, and Environmental Management Program within the Agricultural Research Service (ARS) at ARS facilities

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A. Reference

For general information on policies and responsibilities associated with the ARS Safety, Health, and Environmental Management Program, refer to DIRECTIVE 230.0.

B. Summary

This MANUAL provides specific details on the policies, responsibilities, and procedures for the Safety, Health, and Environmental Management Program within the Agricultural Research Service (ARS) at ARS facilities.

C. Background

MANUAL 230.0, Safety, Health, and Environmental Management, contains or references general and specific requirements, policies, responsibilities, procedures, and activities to be implemented. These include - as an integral part of ARS program, resource, and facility management - developing, implementing, training, managing, and evaluating safety, health, and environmental management programs responsive to all substantive and procedural provisions of applicable Federal, State, and local safety, health, and environmental requirements.

D. Organization and Contents

MANUAL 230.0 is organized into four sections, as follows:

- . A - ARS Safety Management Function
- . B - ARS Occupational Health Management Function
- . C - ARS Industrial Hygiene Function
- . D - ARS Environmental Management Function

The sections contain chapters that outline the programs, activities, and responsibilities within each functional area.

E. Distribution of Manual

DIRECTIVE 230.0 and this MANUAL apply to all ARS personnel and to any others while present in any capacity on ARS-owned or ARS-operated facilities. Accordingly, their existence, location, contents, and applicability shall be made known to all ARS personnel and, as appropriate, any others. Hard and/or electronic copies of this MANUAL may be maintained.

F. Responsibilities

Responsibilities associated with the ARS Safety, Health, and Environmental Management Program and its implementation steps are covered in the appropriate Section(s) of the MANUAL.

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Deputy Administrator
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CHAPTER I - SECTION A

General Program Information

A. Purpose and Scope of This Chapter

This chapter has been prepared to serve as a handy reference for management officials, supervisors, and employees of the Agricultural Research Service (ARS). It incorporates elements of Section 19 of the Occupational Safety and Health Act which requires the head of each Federal Agency to establish a safety, health, and environmental management program that conforms to the standard set by the Secretary of Labor in Section 6 of the Act. Where more stringent safety, health, and environmental requirements are set forth, they will be applied by ARS.

The ARS Safety, Health, and Environmental Management Program is the Agency's plan to effect optimal achievement of error free and therefore, accident free task performance which involves employee, machine, and environmental relationships. Within ARS the "Safety, Health, and Environmental Management Program" encompasses the related functional areas of Safety Management, Occupational Health Management, Environmental Management, and Industrial Hygiene.

The Safety Management function includes the following functional components to prevent accidents/incidents resulting in injury, illnesses, and/or environmental/property damages: a) program management, b) education/training, c) services, d) oversight, and e) evaluation.

B. Applicability

The contents of this chapter are applicable to all missions under the direction of the ARS Administrator whether accomplished by ARS personnel, cooperators, or contractors within the ARS. Requests for waivers to the provisions of this MANUAL require approval by the Deputy Administrator for Administrative Management. Waivers must be documented and copies furnished to the next higher management level. In all instances, however, protection consistent with the intent of the pertinent provision will be provided.

C. Authorities/Legislation/Standards/Executive Orders

1. Authorities

Authority for programs to prevent accidents and incidents involving people and property with respect to the operation of the Federal Government is provided by various authorities, laws, standards, and Executive Orders.

Some of the Authorities behind the ARS Safety, Health, and Environmental Management Program are:

- . The Occupational Safety and Health Act of 1970, Section 6 (29 U.S.C. 655); and Section 19 (29 U.S.C. 668 and 5 U.S.C. 7902).
- . Section 7902, Title, U.S.C. Code.
- . E.O. 12196.
- . E.O. 12088.
- . E.O. 12580.
- . Title 29 Code of Federal Regulations (CFR), Part 1960.
- . Title 29, CFR, Part 1910. General Industry.
- . Title 29, CFR, Part 1918. Maritime.
- . Title 29, CFR, Part 1926. Construction.
- . Title 29, CFR, Part 1928. Agriculture.
- . Section 7901, Title U.S.C. Code, and OMB Circular A-72.
- . Section 201 of the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970, as amended (42 U.S.C. 4561); FPM Letter 792-4 Section 413 of the Drug Abuse Office and Treatment Act of 1972, as amended (21 U.S.C. 1180); FPM Letter 792-7; FPM Letter 792-9.
- . OMB Circular A-106.
- . Clean Air Act, as amended, 42 U.S.C. 7401, et seq. (CAA)

- . Coastal Zone Management list, as amended, 16 U.S.C. 1451, et seq.
- . Comprehensive Environmental Response, Compensation, and Liability Act as amended 42 U.S.C. 9601, et seq. (also known as Superfund). (CERCLA)
- . Federal Insecticide, Fungicide, and Rodenticide Act, as amended, 7 U.S.C. 196, et seq. (FIFRA)
- . Federal Water Pollutant Control Act, as amended 33 U.S.C. 1251, et seq.
- . National Environmental Policy Act, as amended 42 U.S.C. 4321, et seq. (NEPA)
- . Noise Control Act, as amended, 42 U.S.C. 901, et seq.
- . Resource Conservation and Recovery Act, as amended, 42 U.S.C. 401, et seq. (RCRA)
- . Rivers and Harbors Appropriations Act, as amended, 33 U.S.C. 401, et seq.
- . Safe Drinking Water Act, as amended, 42 U.S.C. 300f, et seq. (SDWA)
- . Toxic Substance Control Act, as amended, 15 U.S.C. 2601, et seq. (TSCA)

2. Safety and Health Legislation

In December 1970, Public Law 91-596, the Occupational Safety and Health Act, was enacted. The Act requires employer to provide safe and healthful workplaces for their employees and to undertake programs designed to reduce occupational safety and health hazards on-the-job.

Section 19 of the Act requires the head of each Federal Agency to establish and maintain effective and comprehensive Occupational Safety, Health, and Environmental Programs, consistent with the standards applicable to the private sector.

Section 19 of the Act establishes program responsibilities for all Federal Agencies. Under the Act, the head of each Federal Agency is to:

- . Provide working conditions which are consistent with standards issued under Section 6 of the Act.
- . Acquire, maintain, and require the use of safety equipment, personal protective equipment, and devices as necessary to protect employees from workplace hazards.
- . Keep adequate records of all occupational accidents and illnesses for proper evaluation and necessary corrective action of safety and health problems.

3. Executive Orders

Since 1970, three Presidents have found it necessary to strengthen Federal programs through issuance of an Executive Order (EO). The most recent, EO 12196, was issued on February 26, 1980. EO 12196 applies to all Federal Agencies of the Executive Branch, and covers all personnel and operations, except military personnel and uniquely military equipment, systems, and operations. The Order directs Federal Agencies to comply with Occupational Safety and Health Administration (OSHA) standards applicable to the private sector and increase the membership of the Federal Agency Committee on Occupational Safety and Health to 16, with equal representation of Federal Agencies and labor organizations.

On December 9, 1982, President Reagan issued his policy statement on Occupational Safety and Health Programs in the Federal sector. The President made it the responsibility of all Federal managers, supervisors, and employees to take an active part in improving safety and health programs for Federal employees. In the Federal sector, accountability for action is accomplished

through annual performance standards for managers, supervisors, and employees.

On October 13, 1978, EO 12088 (43 Fed. Reg. 47707, October 17, 1978) was signed. This EO sets forth specific requirements for the prevention, control, and abatement of pollution at Federal facilities. On January 23, 1987, the President signed in to law EO 12580 which provides for the Superfund implementation. Both EO's require that Federal Agencies develop policies, procedures, and programs for the protection and preservation of the quality of the environment. To obtain the ARS program requirements for addressing the provisions of the EO's, turn to Section D, ARS Environmental Management Function.

USDA and ARS have adopted, without change, the U.S. Department of Labor's Occupational Safety and Health basic program elements and standards promulgated under Section 6, 19, and 24 of the Act. However, because of the diversification of the research mission, ARS has supplemented the basic program elements with a few of its own. Section A outlines program components of the ARS Safety, Health, and Environmental Management Program.

The basic program elements for Federal Occupational Safety and Health Programs are published in 29 CFR Part 1960, dated October 21, 1989. Since the Department did not elect to establish "certified" occupational safety and health committees in accordance with Section 1 - 3 of EO 12196, the requirements of subpart I of 29 CFR Part 1960 are considered guidelines rather than mandatory requirements for Agency safety committees. See Chapter IV, ARS Safety, Health, and Environmental Services Component for ARS guidelines for establishing safety and health committees.

The OSHA is responsible for issuing legally enforceable standards for safety and health conditions of the workplace. OSHA's standards require conditions, or the adoption, or the use of one or more practices, means, methods, or processes to protect employees on-the-job. It is the responsibility of each manager and supervisor to become familiar with those standards applicable to his/her workplace and to ensure that employees have and use personal protective gear and equipment required for their safety and health. Everywhere OSHA, the Department, or ARS have not established specific standards, managers/supervisors should provide every reasonable means to protect employees from job injuries, illnesses, and accidents.

OSHA standards fall into four major categories:

- . General Industry 29 CFR Part 1910.
- . Maritime, 29 CFR Part 1918.
- . Construction, 29 CFR Part 1926.
- . Agriculture, 29 CFR Part 1928.

4. Environmental Protection

Federal laws and regulations have been developed to protect the environment and our health from hazardous materials/wastes. Both the Federal laws and regulations, and the ARS Environmental Management Programs are important because they affect how you and your employees do your jobs. Failure to follow the procedures and requirements of these regulations may result in fines and jail terms. The fines and jail terms may be levied directly against the ARS, the activity manager, and/or the employee. Criminal action can be taken against an individual who violates various sections of these regulations. Some environmental laws designed to abate pollution and to enhance the environment include:

- . **The Occupational Safety and Health Act** - This Act sets requirements for worker safety and health.
- . **The Hazardous Materials Transportation Act** - This Act authorized the Department of Transportation to issue shipping, labeling, and making regulations for use during the transport of hazardous chemicals.
- . **The Clean Air Act** - This Act authorizes the EPA to control hazardous air pollutants.
- . **The Clean Water Act** - This Act allows EPA to set water quality and effluent discharge standards for water pollutants.
- . **The Resource Conservation and Recovery Act** - This act controls the management of hazardous wastes.

- **The Toxic Substance Control Act** - This Act gave the EPA the authority to regulate chemicals used in commerce.
- **The Comprehensive Environmental Response, Compensation, and Liability Act** - This Act requires reporting of hazardous substances, disposal sites, and areas made hazardous by old spills, including those on Federal property.
- **The Hazardous and Solid Waste Amendments** - These amendments revised RCRA and mandated changes designed to protect the nation's groundwater.
- **The Superfund Amendments and Reauthorization Act** - This Act revised CERCLA and included a community right-to-know provision as well as specific mandates to OSHA and DOT to address problems of hazardous waste management.

To comply with these laws and regulations, ARS has adopted certain policies and prepared requirements which detail how ARS will handle, store, and arrange for the disposal of hazardous waste. The key to safe handling of all hazardous substances is to incorporate good planning and information on specific hazardous substances into facility operations. Many of the problems associated with handling hazardous substances can be planned for, identified, and prevented.

5. ARS Safety, Health, and Environmental Standards

Basic Agency responsibilities for safety, health, and environmental standards are as follows:

- **The Chief of the Safety, Health, and Environmental Management Branch, (SHEMB) Facilities Division** will develop ARS safety, health, and environmental standards for general ARS application. The Chief will also serve as the primary interpreter of other Federal/State safety, health, and environmental related standards as to their applicability to ARS operations. The Chief will provide guidance and assistance necessary to ensure adequate compliance with applicable safety, health, and environmental standards by program officials throughout ARS.
- **The Area Directors, Area Administrative Officers, Center Directors, and Location Coordinators** will maintain a complete and current set of applicable OSHA, EPA and DOT standards. These officials will provide other managerial support of the requirements.
- **The Area/Center/Collateral Duty Safety Officers/ Area Safety and Occupational Health Managers or Cluster Environmental Protection Specialist** will provide guidance and assistance necessary to ensure adequate compliance with applicable safety, health, and environmental standards by program officials in their area of concern.